

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

Clerk's Minutes
Before the Honorable James O. Browning

CASE NO. CIV 22-0222 JB/KK **DATE:** 5/17/2022

TITLE: *Voter Reference Foundation, LLC, et al. v. Balderas, et al.*

COURTROOM CLERK: L. Rotonda **COURT REPORTER:** J. Bean

COURT IN SESSION: 2:27 PM **TOTAL TIME:** 2:58

TYPE OF PROCEEDING: MOTION HEARING

COURT RULING/DISPOSITION:

1. Plaintiff's Motion for Preliminary Injunction [3] – see below.

ATTORNEYS PRESENT FOR PLAINTIFF(S): **ATTORNEYS PRESENT FOR DEFENDANT(S):**

Eddie Greim
Matthew Mueller

Olga Serafimova

PROCEEDINGS:

COURT IN SESSION: 2:27 PM

COURT: CALLS CASE, COUNSEL ENTER APPEARANCES. COURT NOTES THAT FOLLOWING HEARING LAST WEEK, COURT HAS BEGUN PUTTING ORDER TOGETHER, ADDRESSES COUNSEL REGARDING ISSUES ON WHICH COURT IS FOCUSING.

2:33 PM PROVIDES COURT'S INCLINATION AS TO PLAINTIFF'S BURDEN OF PERSUASION IN ORDER TO OBTAIN INJUNCTIVE RELIEF.

2:37 PM MR. GREIM: INDICATES THAT PARTIES HAVE REACHED STIPULATIONS AS TO FACTS AND EXHIBITS, HAS TENDERED BINDER OF HARDCOPY EXHIBITS. DELIVERS OPENING ARGUMENT ON BEHALF OF PLAINTIFFS.

COURT: QUERIES COUNSEL.

2:43 PM MR. GREIM: RESPONDS TO COURT’S QUERIES, RESUMES ARGUMENT.

3:08 PM MS. SERAFIMOVA: DELIVERS OPENING ARGUMENT ON BEHALF OF DEFENDANTS.

3:14 PM COURT: QUERIES COUNSEL.

MS. SERAFIMOVA: RESPONDS TO COURT’S QUERIES.

3:31 PM MR. GREIM: PLAINTIFFS CALL TINA SWOBODA (SWORN); QUESTIONS MS. SWOBODA ON DIRECT EXAMINATION. MOVES FOR ADMISSION OF PLAINTIFFS EXHIBIT NOS. 1, 2.

MS. SERAFIMOVA: NO OBJECTION.

COURT: ADMITS PLAINTIFFS’ EXHIBIT NOS. 1, 2.

3:55 PM MS. SERAFIMOVA: QUESTIONS MS. SWOBODA ON CROSS EXAMINATION.

COURT IN RECESS: 4:01 PM

COURT IN SESSION: 4:15 PM

MS. SERAFIMOVA: RESUMES QUESTIONING MS. SWOBODA ON CROSS EXAMINATION.

4:51 PM COURT: EXCUSES MS. SWOBODA.

4:52 PM MR. MUELLER: PLAINTIFFS CALL HOLLY STEINBERG (SWORN); QUESTIONS MS. STEINBERG ON DIRECT EXAMINATION.

MS. SERAFIMOVA: QUESTIONS MS. STEINBERG ON CROSS EXAMINATION.

5:07 PM MR. MUELLER: QUESTIONS MS. STEINBERG ON REDIRECT EXAMINATION.

COURT: EXCUSES MS. STEINBERG.

5:08 PM MR. GREIM: PLAINTIFFS CALL MANDY VIGIL (SWORN); QUESTIONS ON DIRECT EXAMINATION. MOVES FOR ADMISSION OF JOINT EXHIBIT NOS. A – L.

MS. SERAFIMOVA: NO OBJECTION.

5:19 PM COURT: ADMITS JOINT EXHIBIT NOS. A – L.

5:31 PM MS. SERAFIMOVA: REQUESTS BENCH CONFERENCE.

COURT: CONDUCTS SAME.

5:32 PM OPEN COURT.

5:37 PM MR. GREIM: INDICATES NOTHING FURTHER ON DIRECT EXAMINATION.

5:38 PM COURT: DIRECTS COUNSEL TO DISCUSS WHETHER THEY WISH TO SUBMIT PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW, CONTACT CRD REGARDING SETTING DATE AND TIME TO RESUME HEARING.

COURT IN RECESS: 5:40 PM